



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: ENF-L

January 26, 2011

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Zurich Insurance
1400 American Lane
Schaumburg, Illinois 60196

Re: Request for Information dated November 19, 2010
Gilt Edge Mine Site/Nelson Tunnel/Commodore Waste Rock Pile Site

Dear Sir or Madam:

On November 19, 2010, the United States Environmental Protection Agency (EPA) sent you a letter requesting information (Information Request Letter) regarding your connection to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and CoCa Mines Inc., former owners and/or operators of the Gilt Edge Mine Superfund Site located in Lawrence County, South Dakota and/or the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site. The return receipt indicates that you received this Information Request Letter on December 1, 2010. Your response to the Information Request Letter was due on or before December 31, 2010. To date, EPA has not received any such response.

Your compliance with the Information Request Letter is required by law. Section 104 of Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties of up to \$37,500 per day for failure to timely respond. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

I have enclosed a copy of the Information Request Letter and request an immediate response. Your response should be mailed to:

Sharon Abendschan, Enforcement Specialist
U.S. EPA Region 8
Technical Enforcement Program, 8ENF-RC
1595 Wynkoop Street
Denver, Colorado 80202-1129

If you refuse to comply, EPA will consider taking enforcement action that may include the imposition of civil penalties of up to \$37,500 per day for each day of non-compliance. If you have any questions, please contact Andrea Madigan, EPA Enforcement Attorney, at (303) 312-6904. Please give this matter your immediate attention.

Sincerely,



Kelcey Land, Director
Technical Enforcement Program,
Office of Enforcement, Compliance,
And Environmental Justice



Matthew Cohn, Supervisory Attorney
Legal Enforcement Program,
Office of Enforcement, Compliance,
And Environmental Justice

Enclosure

